

STATE HEMP LEGISLATION OVERVIEW AND TRENDS

Georgia House of Representatives
Industrial Hemp Production Study Committee

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Outline

- NCSL Overview
- State hemp programs overview
- Federal update
- 2017 and 2018 legislation
- State legislative trends
 - ▣ Licenses and registration
 - ▣ Inspections and reporting
 - ▣ Other policy issues



NCSL Overview

□ Bipartisan Organization:

- ▣ Serves the 7,383 legislators and 30,000+ legislative staff of the nation's 50 states, commonwealths and territories

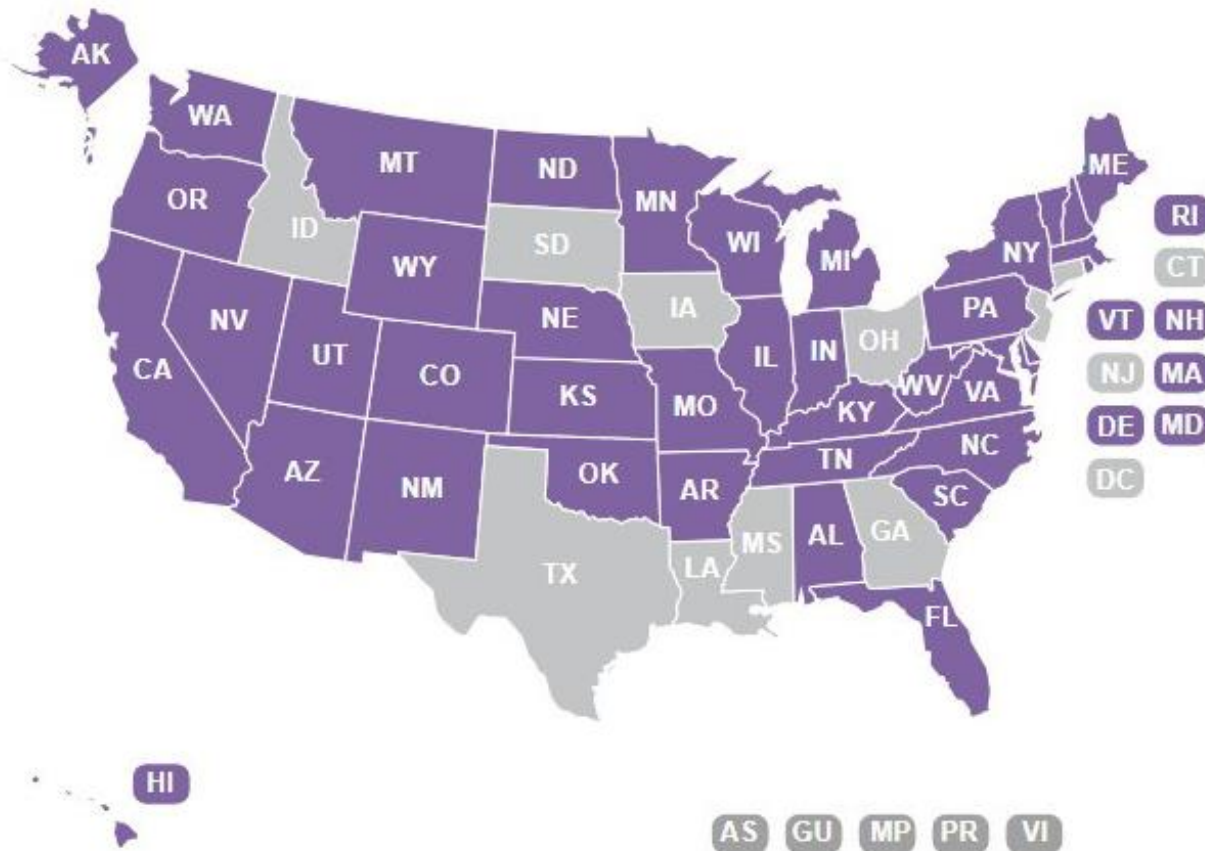
□ Activities

- ▣ Research and information on topics of interest to the states
- ▣ Technical assistance and training
- ▣ Opportunities for policymakers to exchange ideas
- ▣ Advocacy at the federal level for states' interests



State Industrial Hemp Programs

Allows cultivation of hemp for commercial, research or pilot programs	Does not allow cultivation of hemp.
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State Policy Considerations

- ❑ Licensing
- ❑ Program funding
- ❑ Task force, commission, and state-wide
- ❑ Seed certification
- ❑ Law enforcement engagement
- ❑ Providing for Affirmative defense
- ❑ Amending state controlled substance acts



Federal Update

The 2014 Farm Bill defined industrial hemp

*“The term ‘industrial hemp’ means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a THC concentration of not more than 0.3 percent on a dry weight basis.”*

The Farm Bill did not amend the Controlled Substances Act (CSA).



Federal Update (continued)

Allows state departments of agriculture and/or institutions of higher education to grow hemp for certain purposes:

“(1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and

(2) the growing or cultivating of industrial hemp is allowed under the laws of the state in which such institution of higher education or state department of agriculture is located and such research occurs.”



Legislative Trends

- ❑ 2018 – Alaska, Arizona, Kansas, Missouri, and Oklahoma enacted new laws for programs.
- ❑ 2018 – Iowa, New Jersey and South Dakota considered but did not pass.
- ❑ 2017 – Florida, Nevada and Wisconsin enacted new programs.
- ❑ New Mexico S.B. 6 was vetoed in 2017. The veto was overturned in April 2018.



Registration and Licensing Programs

- ❑ **Applications:** names and addresses; location and legal description of land; background check; fees
- ❑ **Reporting and Inspection**
 - ▣ Reporting within certain timeframes of planning, harvesting and other stages
 - ▣ Allowing for inspections including coordination with law enforcement



Colorado

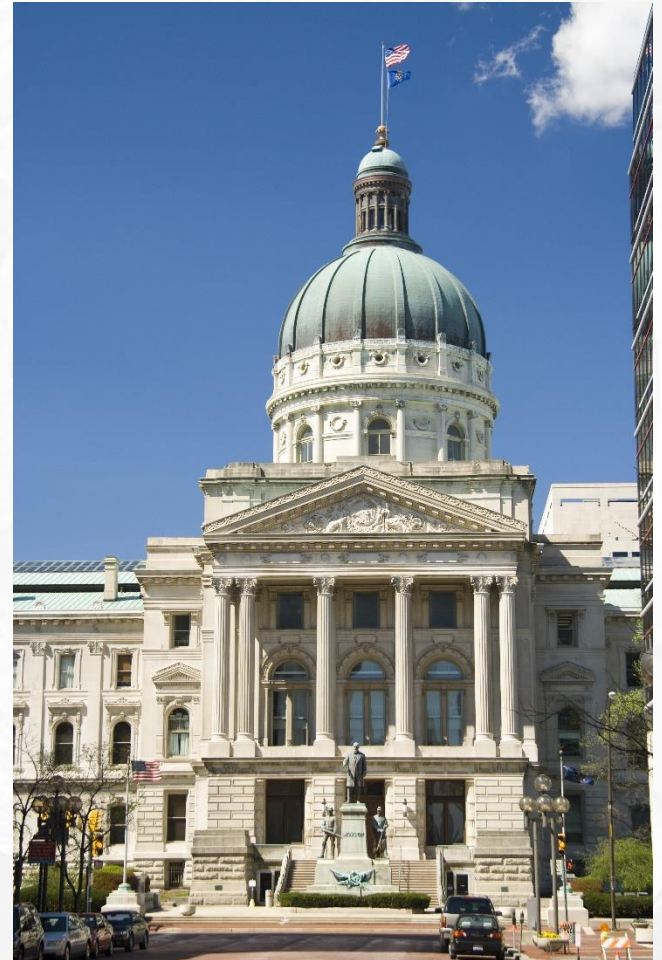
- ❑ 200 acres in 2014, first year
- ❑ 9,800 acres in 2017
- ❑ Examples of recent legislation
 - ▣ S.B.109 (2017) Study of Hemp in Animal Feed
 - ▣ S.B. 38 (2018) reclaimed water
 - ▣ H.B. 1295 (2018) adulterated food products



Indiana

- S.B. 347 (2014)
 - ▣ Purdue University

- H.B.1137 (2018)
 - ▣ Study committee



Other Study Committees and Task Forces

❑ **Colorado**

- ▣ State Industrial Hemp Research and Development Task Force to study creation of a new authority

❑ **Connecticut** H.B. 5476 (2014)

- ▣ Directs a study on the feasibility of legalizing hemp

❑ **Indiana**

- ▣ Summer study committee (H.B. 1137 in 2018)

❑ **New Hampshire** H.B. 151 (2017)

- ▣ Committee to study the feasibility of using hemp and further study of licensing, registration and permitting



Contact and NCSL Resources

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- Standing Committees and Policies
 - Natural Resources and Infrastructure (NRI) Committee
 - State-Federal Relations Division in Washington, DC
- NCSL's Agriculture Task Force
- Other Program Staff in Denver, CO
 - Criminal Justice Program
 - Health Program



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